

November 21, 2013

Mr. Robert Kilkuskie
Executive Director
Michigan Technical Education Center
7107 Elm Valley Drive
Kalamazoo, MI 49009

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03036995/2013001(DNMS) –
MICHIGAN TECHNICAL EDUCATION CENTER

Dear Mr. Kilkuskie,

On October 31, 2013, an inspector from the U.S. Nuclear Regulatory Commission (NRC) conducted a routine inspection at your facility in Kalamazoo, Michigan, with continued in-office review through November 4, 2013. The purpose of the inspection was to review activities performed under your NRC license to ensure that activities were being performed in accordance with NRC requirements. The in-office review included a review of records of the radiation protection program. Mr. Craffey of my staff contacted you by telephone on November 12, 2013, to discuss the inspection findings.

During this inspection, the NRC staff examined activities conducted under your license related to public health and safety. Additionally, the staff examined your compliance with the Commission's rules and regulations as well as the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that one minor violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation, identified by the inspector, concerned MTEC's failure to notify the NRC in writing within 60 days that no principal activities under the license had been conducted for a period of 24 months, as required by Title 10 of the *Code of Federal Regulations* (CFR) Part 30.36(d)(3).

Licenses are required to report such occurrences so that the NRC can take prompt and appropriate regulatory action to ensure that any residual radioactivity is adequately addressed. The NRC takes failure to do so seriously, as it impedes the NRC's ability to perform its regulatory process. However, we have evaluated this violation and determined that the lack of principal activities had minimal radiological or programmatic significance. Therefore, we have determined that the significance of the violation is minor.

The inspector determined that the root cause of the violation was a misunderstanding of NRC requirements. As corrective action to address recurrence, you committed to notifying the NRC in accordance with 10 CFR 30.36(d) should another 24 months elapse in which no principal activities are conducted under the MTEC license.

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved is already adequately addressed on the docket in this letter. Therefore, you are not required to respond to this letter unless the description herein does not accurately reflect your corrective actions or your position.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made publicly available without redaction.

Please feel free to contact Ryan Craffey of my staff if you have any questions regarding this inspection. Mr. Craffey can be reached at 630-829-9655.

Sincerely,

/RA/

Aaron T. McCraw, Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket No. 030-36995
License No. 21-32574-01

cc w/encl: State of Michigan

R. Kilkuskie

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